

TESORO COMMENT RESPONSES (There are three sets of comments from Tesoro and three response tables, one responding to each set of comments.)

Comment #

D	RESPONSE TO “SIGNIFICANT ERRORS” AS IDENTIFIED BY TESORO
1.	The change has been made to the permit, based upon the argument made in the comment.
2.	The change has been made to the permit, based upon the argument made in the comment, except that there is a limit for each individual tank instead of a collective limit on all of the tanks.
3.	The change has been made to the permit to remove reference to the installation of ultra low NOx burners at S-913, S-916, S-919, S-920, S-921, and S-922. The effectiveness date for the requirement that S-972 be abated by A-1433 has been modified to be upon execution of the Authority to Construct for this change.
4.	The change has been made to the permit because S-806 does not burn any fuel.
5.	The change has been made to the permit, based upon the argument made in the comment.
6.	The argument supporting a suggested change is factually incorrect. Part 2 of condition #799 has been amended to clarify that it applies to the abatement of S863.
7.	The change has been made to the permit, based upon the argument made in the comment.
8.	Regarding 40 CFR part 60; 40 CFR part 61; and 40 CFR part 63, subpart CC; the change has been made to the permit, based upon the argument made in the comment. No change has been made regarding Regulation 9-1 or Regulation 9-2, which are applicable to all facilities, not just refineries.
9.	The change has been made to the permit, based upon the argument made in the comment. These sources are pre-heaters used to heat air that in turn is used to heat exhaust ducting for other combustion sources. These sources are not subject to Regulation 9, Rule 10.
10.	The requested change has not been made to the permit. Text has been added to the permit to clarify that Regulation 9-1-302 applies when the area monitor is not in operation.
11.	A future effectiveness date of June 1, 2004 has been added for cited applicable requirements of 40 CFR 60 subpart J, to enable further evaluation of subpart J applicability after considering forthcoming information regarding upstream feeds to these flares.
12.	The change has been made to the permit, based upon the argument made in the comment.
13.	The change has been made to the permit, based upon the argument made in the comment.
14.	The change has been made to the permit, based upon the argument made in the comment.
15.	No change has been made to the permit.
16.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.

17.	All but two of the changes have been made to the permit, based upon the argument made in the comment.
18.	The permit has been changed to add Tank 499 to Table IV – BN Cluster 12 – Out-Of-Service.
19.	S-1464 and S-1465 are already present in Table IV-BA Cluster 01a. With regard to S1418, the suggested change has been made to the permit, based on the comment.
20.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
21.	The change has been made to the permit, based upon the argument made in the comment.
22.	With regard to removing Regulation 8-33, the change has been made to the permit since gasoline transfer is not allowed at S101 per Table II-A. With regard to Regulation 8-6, no change has been made to the permit since crude oil and/or transmix may be transferred at S101.
23.	The change has been made to the permit since gasoline transfer is not allowed at S125 per Table II-A.
24.	The change has been made to the permit, based upon the argument made in the comment.
25.	The change has been made to the permit, based upon the argument made in the comment.
26.	The change has been made to the permit, based upon the argument made in the comment.
27.	The change has been made to the permit, based upon the argument made in the comment.
28.	The change has been made to the permit, based upon the argument made in the comment.
29.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
30.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
31.	All references to Regulation 6, including Regulation 6-601, have been removed from Table IV for this source. This source does not vent particulate matter directly to atmosphere. The exhaust from S-806 is ducted to its CO boiler.
32.	The change has been made to the permit, based upon the argument made in the comment.
33.	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but will be included in a proposed permit revision that will be circulated for public comment within 30 days.
34.	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but will be included in a proposed permit revision that will be circulated for public comment within 30 days.
35.	The change has been made to the permit, based upon the argument made in the comment.

36.	With regard to 40 CFR 643(a), the change has been made to the permit, based upon the argument made in the comment. With regard to 40 CFR 60.104 (a) (1), additional public review is required first. The change has not been made in the permit, but will be considered in a proposed permit revision that will be circulated for public comment within 30 days.
37.	This monitoring requirement has been given a future effectiveness date of 06/01/04 to enable further evaluation of 40 CFR subpart CC applicability after considering forthcoming information regarding upstream feeds to these flares.
38.	No change has been made to the permit. The suggestion does not acknowledge that the requirements are design and operation requirements, not just design requirements.
39.	The change has been made to the permit, based upon the argument made in the comment.

D	T	RESPONSE TO ADDITIONAL ERRORS ISSUES WITH TESORO
40.	1	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
41.	2	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
42.	3	The permit content that exists in Table II, in and of itself, is, in fact, enforceable. Tesoro is not required to certify compliance covering any term of Table II except as required pursuant to permit conditions referencing Table II.
43.	4	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
44.	5	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
45.	6	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
46.	7	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
47.	8	The comment merits consideration as a future revision to the permit.

		However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
48.	9	No change has been made to the permit. The District has clarified its interpretation of the certification requirements in a separate letter to each refinery.
49.	10	No change has been made to the permit. The blank dates are filled in when the permit is issued. The District has agreed to align semiannual reporting with the calendar year. The first annual report will be due at the end of January 2005.
50.	11	The change has been made to the permit, based upon the argument made in the comment.
51.	12	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
52.	13	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
53.	14	A change has been made to the permit to correct each instance in which the monitoring frequency was specified as "P/C" to read as "C."
54.	15	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
55.	16	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
56.	17	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
57.	18	Regarding parts "a-d" of this comment, to incorporate the amendments to Regulation 8-5 adopted by the District on October 27, 2002, modifications have been made to the tank tables, independent of these comments. With regard to part "e" of the comment, each instance in Table IV where Regulation 8-44 is cited already includes Sections 303 and 304 of this rule. Regarding part "f" of the comment, Regulation 8-46 is not cited in Table IV or Table VII.
58.	19	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date. Note, however, that Section VIII neither requires nor limits any specific source test methodology.

59.	20	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
60.	21a	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
61.	21b	The change has been made to the permit, based upon the argument made in the comment.
62.	21c	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
63.	21d	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
64.	21e	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
65.	21f	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
66.	21g	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.

		RESPONSE TO ADDITIONAL ERRORS ISSUES WITH TESORO
67.	3.	The argument supporting a suggested change does not provide sufficient information or analysis to support the change. No change has been made to the permit.
68.	11.	The change has been made to the permit, based upon the argument made in the comment.
69.	15.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
70.	21.	No change has been made to the permit. The District will review the issues raised by the comment, and will take appropriate steps at a later date.
71.	27.	The change has been made to the permit, based upon the argument made in the comment.

72.	29.	The change has been made to the permit, based upon the argument made in the comment.
73.	30.	The change has been made to the permit, based upon the argument made in the comment.
74.	31.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
75.	34.	No change has been made to the permit. The District will review the issues raised by the comment, and will take appropriate steps at a later date.
76.	35.	No change has been made to the permit. The District will review the issues raised by the comment, and will take appropriate steps at a later date.
77.	38.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
78.	40.	The change has been made to the permit, based upon the argument made in the comment.
79.	50.	No change has been made to the permit. The District will review the issues raised by the comment, and will take appropriate steps at a later date.
80.	54.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
81.	56.	The argument supporting a suggested change is incorrect as a matter of law. No change has been made to the permit. Regulation 1-301 explicitly limits emissions from “any source.” The purpose of the control equipment is to control odors and avoid nuisance.
82.	66.	The change has been made to the permit, based upon the argument made in the comment, except that there is a limit for each individual tank instead of a collective limit on all of the tanks.
83.	67.	No change has been made to the permit.
84.	68.	No change has been made to the permit. A list containing each source that is exempt from permitting has been added to the Statement of Basis.
85.	70.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
86.	71.	No change has been made to the permit, except for designating 40 CFR 82 as being federally enforceable. The District will review the other issues raised by the comment, and will take appropriate steps at a later date.
87.	74.	The change has been made to the permit, based upon the argument made in the comment.
88.	75.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider

		incorporating the suggestion at a later date.
89.	76.	No change has been made to the permit. The District cannot add the requested language. Adjustment of Title V permits for changes in SIP rules requires, by definition in Regulation 2-6-201, an Administrative Permit Amendment.
90.	78.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
91.	80.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
92.	81.	This applicable requirement has been added to Table III.
93.	82.	The change has been made to the permit, based upon the argument made in the comment.
94.	177.	All references to Regulation 6, including Regulation 6-601, have been removed from Table IV for this source. This source does not vent particulate matter directly to atmosphere. The exhaust from S-806 is ducted to its CO boiler.
95.	201.	The change has been made to the permit, based upon the argument made Tesoro's argument that the cleaning pits do not cause visible emissions.
96.	203.	The change has been made to the permit, based upon the argument made in the comment.
97.	204.	No change has been made to the permit. Federal enforceability for Regulation 8-2-301 should be, and is, denoted as "yes."
98.	206.	The change has been made to the permit, based upon the argument made in the comment.
99.	207.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
100.	224.	The suggested change should be implemented, but additional public review is required first. The change has not been made in the permit, but will be included in a proposed permit revision that will be circulated for public comment within 30 days.
101.	356.	The change has been made to the permit, based upon the argument made in the comment.
102.	357.	The change has been made to the permit, based upon the argument made in the comment.
103.	361.	The change has been made to the permit, based upon the argument made in the comment.
104.	362.	The change has been made to the permit, based upon the argument made in the comment.
105.	419.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are

		appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
106.	438.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
107.	574.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
108.	575.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
109.	576.	No change has been made to the permit. The District will consider incorporating the suggestion at a later date.
110.	578.	Regarding 40 CFR 63.643(a) the change has been made based on the argument in the comment. No change has been made regarding 40 CFR 60.104(a)(1).
111.	579.	The change has been made to the permit, based upon the argument made in the comment.
112.	586.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
113.	593.	The change has been made to the permit. These sources are pre-heaters used to heat air that in turn is used to heat exhaust ducting for other combustion sources. These sources are not subject to Regulation 9, Rule 10.
114.	604.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
115.	605.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
116.	606.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
117.	607.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
118.	608.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are

		appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
119.	609.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
120.	610.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
121.	611.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
122.	612.	The comment merits consideration as a future revision to the permit. However, the District believes the proposed permit conditions are appropriate at least for the time being. The District will consider incorporating the suggestion at a later date.
123.	614.	The change has been made to the permit to remove reference to the installation of ultra low NOx burners at S-913, S-916, S-919, S-920, S-921, and S-922. The effectiveness date for the requirement that S-972 be abated by A-1433 has been modified to be upon execution of the Authority to Construct for this change.
124.	615.	Permit shields are provided only if applied for by the facility.